

**AMENDMENTS TO THE DRAWINGS**

The attached sheets of drawings includes the following changes:

Fig. 1: the angle  $\alpha$ , and bore 40 have been added;

Fig. 4: the reference label "R" has been added; and

Fig. 7: has been added.

### **REMARKS**

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 1-28 are pending in the present application, with claims 1, 10, 15, 25, and 26-28 being independent. Claims 27-28 have been added by this amendment, which do not add any new subject matter.

#### ***Allowable Subject Matter***

Applicant notes with appreciation the Examiner's indication on page 6 of the outstanding Office Action that claims 10-20, 23, and 24 are allowed. For at least the reasons detailed below, all pending claims should be considered allowed.

#### ***Election/Restriction***

The Examiner's withdrawal of the restriction/election requirement is greatly appreciated.

#### ***Drawings***

The Examiner objected to the drawings under 37 CFR 1.83(a), stating that the drawings must show every feature of the invention.

Applicant has amended figures 1 and 4, and has added figure 7. Fig. 1 illustrates the angular distance of the recess to the axis of rotation being labeled as  $\alpha$ . Fig. 4 illustrates the radial distance "R" of the recess to the outer edge of the chipping tool. Fig. 7 illustrates that the plurality of recesses can have variable depths. Furthermore, Applicant respectfully submits that these amendments to the drawings do not add any new subject matter.

Accordingly, withdrawal of the objection to the drawings is respectfully requested.

***Specification***

Applicant submits herewith a substitute specification that incorporates the minor changes made to the figures. Accordingly, Applicant respectfully submits that the substitute specification does not add any new subject matter.

***Claim Rejections Under 35 USC §112***

The Examiner rejected: claims 1-9 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement; and claims 1-9, 21 and 22 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. These rejections are respectfully traversed.

Applicant has amended the claims in an effort to correct a few minor informalities and in an effort to clarify the claims. Applicant respectfully submits that these amendments have not been made to overcome any cited art and therefore the scope of the claims has not been narrowed.

Accordingly, in view of the amendments to the claims, Applicant respectfully requests that the Examiner withdraw the rejections.

***Claim Rejections Under 35 USC §102***

The Examiner rejected claims 25 and 26 under 35 U.S.C. §102 as being anticipated by Fisher (U.S. 3,678,883). This rejection is respectfully traversed.

Applicant respectfully submits that Fisher fails to teach or suggest at least that a chipping that is disk-shaped, as recited in amended claims 25 and 26. Furthermore, regarding new

independent claims 27 and 28, Applicant respectfully submits that Fisher fails to teach or suggest at least that a state of attrition is determined on the basis of a change in diameter of an aperture.

Accordingly, withdrawal of the rejection is respectfully requested.

***Conclusion***

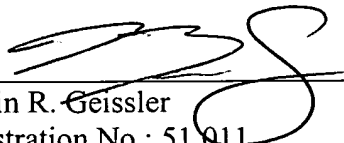
In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin Geissler (Reg. 51,011) at telephone number (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

**Date: February 2, 2006**

Respectfully submitted,

By   
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Attachment: Two (2) Replacement Sheets and One (1) New Sheet;  
Substitute Specification  
Marked-Up Version